REMARKS

The Office Action of March 3, 2006 has been carefully reviewed and this paper is Applicants' response thereto. Claims 1-26 are pending. Claims 1-9 and 11-26 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,951,651 to Lakshman *et al.* (Lakshman). Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Lakshman. In view of the above amendments and the remarks below, the Applicants believe all the claims are in condition for allowance and respectfully request such action.

Amended Claim

Independent claim 1 was amended to recite "receiving an identification of at least two clusters of the discrete segments of data" and "selecting at least two fixed length filters from a plurality of fixed length filters to filter the at least two clusters, wherein each of the selected at least two fixed length filters has an offset value corresponding to a beginning of one of the at least two clusters." These amendments address the antecedent basis issues noted by the Office Action. As the Office Action has already indicated that such language was supported by the specification, no new matter has been added.

Claim 5 has been amended to clarify the antecedent basis of a phrase and adds no new matter.

Claim 15 has been amended to correct a minor informality and adds no new matter.

Rejection under 35 U.S.C. § 112, ¶ 2

Claims 1-11 were rejected under 35 .U.S.C. § 112, ¶ 2 as being indefinite. Claim 1 has been amended to recite "selecting at least two fixed length filters from a plurality of fixed length filters to filter the at least two clusters, wherein each of the selected at least two fixed length filters has an offset value corresponding to one of the at least two clusters." Applicants respectfully submit that as amended, claim 1 satisfies the requirements of 35 .U.S.C. § 112, ¶ 2.

Claim 5 has been amended to recite "the offset value," clarify that the offset value recited in claim 1 is what is being referred to in claim 5.

Accordingly, withdrawal of this ground of rejection is respectfully requested.

Rejection under 35 U.S.C. § 112, ¶ 1

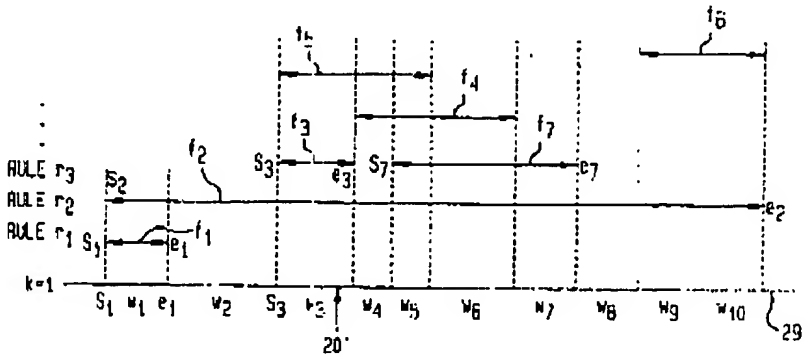
Claims 1-11 were rejected under 35 .U.S.C. § 112, ¶ 1 as failing to comply with the written description requirement. In particular, the Office Action suggested that the following recited feature "wherein each of the at least two fixed length filters has an offset value corresponding to one of the at least two clusters" was not described in the specification as filed. While not acquiescing to the rejection, to expedite prosecution independent claim 1 has been amended to recite "wherein each of the selected at least two fixed length filters has an offset value corresponding to a beginning of one of the at least two clusters." As noted by the Office Action, this language is supported by the specification.

Accordingly, withdrawal of this ground of rejection is respectfully requested.

Rejection Under 35 USC §102 - Lakshman

Claims 1-9 and 11-26 were rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 5,951,651 to Lakshman *et al.* ("Lakshman"). Lakshman discloses that particular sections of the header (which are referred to as dimensions k_1 through k_n) each may have a set of rules (i.e., filters) that are applied depending on the value for the particular section. (Lakshman, Col. 3, Ln. 31-56). Thus, dimension k_1, which may represent the source IP address, can be divided into a set of partitions w_1-w_n representing a range of values for the dimension and different rules are applied for the different partitions w_i. *Id.*. To keep track of which rules are to be applied to a particular partition w_i, a bit-mapped vector is associated with each partition w_i and includes a value 1 or 0 for each rule, depending on whether the rule is to be applied to that particular partition w_i. (Lakshman, Col. 4, Ln. 4-21). Thus, referring to Figure 3 of Lakshman, provided below:

FIG. 3



Lakshman discloses that each partition w_i can be represented by a bit-mapped vector that provides an indication of which rules to apply to that particular partition. (Lakshman, Col. 4, Ln. 28-47). Lakshman, however, fails to disclose that the rules (which are the only filters disclosed) are fixed length or have an offset with respect to the beginning of the cluster. Indeed, Lakshman fails to even discus the length of the rules. Instead, Lakshman merely explains that the rules may apply to a fixed range of values for a particular dimension k_i (e.g., section of the packe header).

Claim 1 recites "selecting at least two fixed length filters from a plurality of fixed length filters to filter the at least two clusters." While admitting that Lakshman fails to expressly disclose fixed length filters, the Office Action suggests that Lakshman still discloses fixed length filters citing to Lakshman Col. 2, Ln. 22-38 and Col. 3, Ln. 35-56. It appears from this citation that the Office Action is equating the bit-mapped vector with a filter. Applicants respectfully submit this is incorrect. The bit-mapped vector merely consists of 1 and 0 that have no value as a filter but merely provide a logical indication of which rules (e.g., the actual filters) should be applied. Indeed, Lakshman, Col. 5, Ln. 45-45 makes this clear, explaining that "[o]nce the window partitions are ascertained, at corresponding steps 130a,...,130n, each of the potential filters contained in their corresponding bitmap vectors associated with the window w_i, is read from memory." Thus, Lakshman makes it clear that the bitmap vector is not a filter and a person of ordinary skill in the art would not understand the bit-mapped vectors to be a filter but instead would understand them as indicating which filters should be applied.

Furthermore, claim 1 further recites "wherein each of the selected at least two fixed length filters has an offset value corresponding to a beginning of one of the at least two clusters." The Office Action suggests that Col. 4, Ln 28-47, Col. 3, Ln. 30-56 and Col. 5, Ln. 25-28 somehow disclose this feature. However, Applicants respectfully submit this misreads Lakshman. Even if the bit-mapped vector could somehow be considered a filter, which as noted above is contrary to the teaching of Lakshman, it plainly does not have an offset value corresponding to a beginning of one of the clusters. Indeed, Lakshman fails to disclose that any offset value is associated with the bitmap vector. Even if one was to argue that the above cited sections imply that bitmap vectors inherently have an offset value, the offset value would only correspond to the range of values for the dimension k_i. However, plainly an offset relating the range of values for the dimension k_i cannot be equated with an offset corresponding to the

beginning of a cluster. Thus, Lakshman fails to disclose the features of claim 1. As Lakshman fails to disclose all the features of claim 1, Lakshman cannot be said to anticipate claim 1.

Independent claims 12 and 18 each recite a fixed length filter and for at least the reasons discussed above with respect to claim 1 regarding this feature, Lakshman fails to disclose all the features of these claims. Therefore, Lakshman cannot be said to anticipate these claims.

Independent claim 23 recites features similar to the features discussed above with respect to claim 1 and therefore, for reasons similar to the reasons discussed above with respect to claim 1, claim 23 is not anticipated by Lakshman.

The remaining claims 2-9, 11, 13-17, 19-22 and 24-26 depend from one of the above claims and are not anticipated for at least the above reasons and for the additional features recited therein. For example, claim 4 recites "wherein the plurality of fixed length filters is configured so that each of the plurality of fixed length filters has an offset value corresponding to one of the discrete segments of the packet." The Office Actions suggested that this is disclosed in Col 4, Ln. 41-44 of Lakshman, which are provided below:

> vector 75*a* will have bit locations 2,3 and 5 set to logic 1 that correspond to potential filters f_2, f_3 and f_5. Likewise, as shown in FIG. 5, for example, bit vector 75*b* corresponding to dimension k=2 can have bit locations 1, 2 and 3 set to logic 1 that correspond to potential filters f_1, f_2 and f_3. Each of the bit-map vectors is stored in memory and may be

Applicants respectfully submit that this section of Lakshman merely discloses that a bit-mapped vector 75b, which is used to determine which set of rules (i.e. filters) should be applied, can have bit locations sent to logic 1 so that the rule (i.e. the filter) corresponding to the particular bit location can be applied (or not, if the logic value is 0). This in no way discloses that "each of the plurality of fixed length filters has an offset value corresponding to one of the discrete segments of the packet" as recited in claim 4. Furthermore, the only discussion about rules refers to the possibility that a rule can be applied to a range of values for a particular dimension (e.g., packet segment). This is plainly not the same as "wherein the plurality of fixed length filters is configured so that each of the plurality of fixed length filters has an offset value corresponding to one of the discrete segments of the packet."

Accordingly, withdrawal of this ground of rejection is respectfully requested.

Rejection Under 35 USC §103 – Lakshman

Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable in view of Lakshman. As noted above, Lakshman fails to disclose the features of independent claim 1 and for at least those reasons claim 10 is patentable over Lakshman. In addition, however, claim 10 recites "wherein the protocol comprises DVB-T...." While admitting that Lakshman fails to disclose DVB-T, the Office Action suggested that it would be obvious to use DVD-T with the teaching of Lakshman because doing so would allow for efficient routing of quality audio and video data. However, Lakshman is silent on the use of its system for transmitting video or audio data and does not teach that the method of Lakshman would be suitable for use with the transmission of video. Furthermore, the Office Action has provided no support that the method of Lakshman would be suitable for use in video transmission or more particularly DVB-T, thus a person of ordinary skill in the art would have no expectation that the disclosure of Lakshman would work with DVB-T. Indeed, the complexity of the method of Lakshman suggests otherwise. In addition, as the DVB-T standard was available prior to the filing of the Lakshman patent, the failure of Lakshman to mention that the method was suitable for DVB-T (or any other video protocol for that matter) while mentioning a number of more generic protocols that the inventor appears to have considered suitable for use with Lakshman actually teaches away from any suggestion that the method of Lakshman is suitable for use with DVD-T. Therefore, the Office Action fails to make a *prima facie* cause of obviousness with respect to claim 10. *See* MPEP 706.02(j) ("To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success ...").

Accordingly, withdrawal of this ground of rejection is respectfully requested.